

KEENAN, J

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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IN RE: FOSAMAX PRODUCTS LIABILITY
LITIGATION :

SHARON REDFORD AND TOM REDFORD :

Plaintiffs, :

v. :

MERCK & CO., INC., :

Defendant. :

X

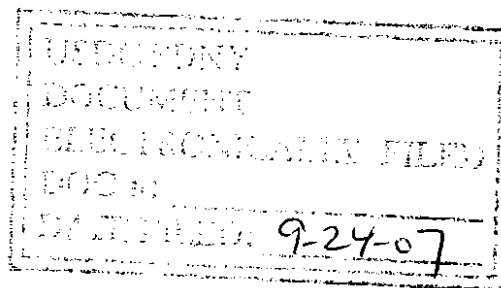
SEP 21

MDL NO. 1789

1:06-md-1789 (JFK)

Index No.: 07 6390

NOTICE OF DISMISSAL



X

PLAINTIFFS' NOTICE OF DISMISSAL

Plaintiffs SHARON REDFORD and TOM REDFORD file their notice of dismissal under Federal Rule of Civil procedure 41(a)(1)(i).

1. Plaintiffs are SHARON REDFORD and TOM REDFORD. Defendant is Merck & Co., Inc.
2. Plaintiffs sued Defendant on July 13, 2007.
3. Defendant has been served with process and has not filed an answer or a motion for summary judgment.
4. This case is not a class action.
5. A receiver has not been appointed in this action.

6. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.

7. Plaintiffs have not dismissed an action based on or including the same claims as those presented in this suit.

8. This dismissal is without prejudice to refiling.

LANIER LAW FIRM, PLLC

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Attorneys for Plaintiffs

SO ORDERED:

John F. Kane
U.S.D.J.
9/24/07

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing has been served on the following counsel pursuant to the Federal Rules of Civil Procedure on this 19th day of Sept, 2007.

W. Zachary Hughes
Baker Botts L.L.P.
910 Louisiana Street
Houston, Texas 77002-4995

Cat T. Heacox
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